

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

APOTEX, INC.,

Plaintiff,

v.

CEPHALON, INC., *et al.*

Defendants.

Civil Action No. 2:06-cv-2768-MSG

**APOTEX'S MOTION FOR ENTRY OF PARTIAL FINAL JUDGMENT ON
COUNTS I, II, III AND V OF APOTEX'S SECOND AMENDED COMPLAINT**

In light of the conclusion of the trials and the Court's orders addressing the unenforceability, invalidity and non-infringement of the '516 and '346 patents and the forthcoming decision from the infringement trial on the '516 patent, Apotex moves for entry of final judgment on Counts I, II, III and V of the Second Amended Complaint (D.I. 195) pursuant to Fed. R. Civ. P. 54(b) upon the issuance of the Court's decision on the infringement trial on the '516 patent. In support of this motion, Apotex has filed a supporting memorandum of law contemporaneously herewith.

Respectfully submitted,

Dated: November 11, 2011

/s/ Brian J. Sodikoff
Robert B. Breisblatt
Brian J. Sodikoff
Martin S. Masar III
KATTEN MUCHIN ROSENMAN LLP
525 West Monroe Street
Chicago, Illinois 60661-3693
Phone: (312) 902-5200

Howard Langer
LANGER GROGRAN & DIVER, P.C.
1717 Arch Street, Suite 4130

Philadelphia, PA 19103
Phone: (215) 320-5661

Attorneys for Apotex, Inc.

